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10 Attorneys for Plaintiff  
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14 IN THE UNITED STATES DISTRICT COURT  
15  
16 EASTERN DISTRICT OF CALIFORNIA

17 UNITED STATES OF AMERICA, Plaintiff,  
18 v.  
19 DAMIEN TORRES, Defendant.

20 CASE NO. 1:22-CR-00250-JLT-SKO  
21 STIPULATION TO VACATE JURY TRIAL DATE;  
22 ORDER  
23 DATE: March 25, 2025  
24 TIME: 8:30 a.m.  
25 COURT: Hon. Jennifer L. Thurston

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27  
28 **STIPULATION**

29 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
30 through defendant's counsel of record, hereby stipulate as follows:

- 31 1. By previous order, this matter was set for jury trial on March 25, 2025.
- 32 2. By this stipulation, defendant and government now move to vacate the jury trial date.
- 33 3. The parties agree and stipulate, and request that the Court find the following:
  - 34 a) The government and defendant have signed a plea agreement that was filed with  
35 this Court. ECF Doc. 25.
  - 36 b) A change of plea hearing has been set for February 24, 2025 at 9:00 a.m.
  - 37 c) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
38 et seq., within which trial must commence, the time period to March 25, 2025, inclusive, was  
39 previously deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]

1 because it results from a continuance granted by the Court at defendant's request on the basis of  
2 the Court's finding that the ends of justice served by taking such action outweigh the best interest  
3 of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
5 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
6 must commence.

7 IT IS SO STIPULATED.

8  
9 Dated: January 21, 2025

MICHELE BECKWITH  
Acting United States Attorney

10  
11 /s/ LAUREL J. MONTOYA  
LAUREL J. MONTOYA  
12 Assistant United States Attorney

13 Dated: January 21, 2025

14 /s/ SERITA RIOS  
15 SERITA RIOS  
Counsel for Defendant  
DAMIEN TORRES

16  
17 **FINDINGS AND ORDER**

18 IT IS SO FOUND that the ends of justice are served by requested action.

19 IT IS FURTHER FOUND that the ends of justice served by taking such action outweigh the best  
20 interest of the public and the defendant in a speedy trial and that time is deemed excluded pursuant to  
21 U.S.C. § 3161(h)(7)(A), B(iv).

22 IT IS ORDERED that the jury trial set for March 25, 2025 is vacated and that the time period to  
23 and through March 25, 2025 has previously been excluded from the time in which trial must commence.

24  
25 DATED: January 22, 2025

*Jennifer L. Thurston*  
26 HON. JENNIFER L. THURSTON  
United States District Judge